

REMARKS

Regarding independent claims 45 and 48 and a restriction requirement issued in this case, in their previous response dated September 28, 2004, Applicants pointed out that in summarily lumping claims 35-49 and 52 into group V as being drawn toward “a method of processing an information signal containing markup language-based content,” the Examiner included independent claims 45 and 48 which are apparatus claims having similar limitations, respectively, as independent method claims 1 and 28 of group I. Further, Applicants indicated that independent claims 45 and 48 do not expressly recite “markup language-based content.”

In the present final Office Action the Examiner states that “[t]his is not found persuasive because applicant has not argued that limitations recited in the body of either claim are not appropriate where grouped.”

Applicants respectfully point out that this is exactly what was argued in the previous response. The fact that Applicants stated: “the Examiner included independent claims 45 and 48 which are apparatus claims having similar limitations, respectively, as independent method claims 1 and 28 of group I,” clearly means that, to the degree that the original groupings are proper (which for the reasons given in Applicants Response to Restriction Requirement dated April 21, 2004, they are still believed to be improper), independent claims 45 and 48 should be in group I rather than group V. A reading of the claims serves to make this point clear:

The body of original independent claim 1 recites:

obtaining the information signal;

performing content detection on the information signal to detect whether the information signal includes particular content presented in accordance with the at least one modality; and

generating a control signal, when the particular content is detected, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content.

The body of original independent claim 45 recites:

- (i) obtain the information signal;
- (ii) perform content detection on the information signal to detect whether the information signal includes particular content presented in accordance with the at least one modality; and
- (iii) generate a control signal, when the particular content is detected, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content.

Except for the preamble and the gerund form of the verb in claim 1, the language is identical.

Furthermore, the body of original independent claim 28 recites:

- obtaining the information signal;
- marking at least a portion of the information signal in response to a user input;
- performing content detection on the at least a portion of the information signal to detect whether the marked portion of the information signal includes desired content presented in accordance with the at least one modality; and
- at least one of storing and utilizing the desired content in a subsequent application when detected in the information signal.

The body of original independent claim 48 recites:

- (i) obtain the information signal;
- (ii) mark at least a portion of the information signal in response to a user input;
- (iii) perform content detection on the at least a portion of the information signal to detect whether the marked portion of the information signal includes desired content presented in accordance with the at least one modality; and
- (iv) at least one of store and utilize the desired content in a subsequent application when detected in the information signal.

Again, except for the preamble and the gerund form of the verb in claim 28, the language is identical.

Thus, Applicants again respectfully request reinstatement of claims 45 and 48 for at least these reasons.

Further, in the present final Office Action, the Examiner: (i) maintained the rejection of claims 30-32 and 50 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,664,227 to Mauldin et al. (hereinafter “Mauldin”); and (ii) maintained the rejection of claims 1-12 and 28 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,374,225 to Hejna, Jr. (hereinafter “Hejna”).

In this response, Applicants maintain their traversal of the various §102 rejections, for at least the reasons given in their previous response dated September 28, 2004. Nonetheless, in an effort to move the present application through to issuance, Applicants have amended the independent claims to further clarify the invention.

Regarding independent claims 32 and 50, Applicants have amended the control signal generating step to now recite: “automatically generating a control signal as a direct result of detection of at least a portion of the particular content in accordance with at least one of the content detection steps without a need for a selective input by a user contemporaneous with the detection of the content, for use in automatically controlling at least one of a rendering property of the particular content and automatic implementation of a specific action relating to the particular detected content.”

Thus, the claimed invention provides that the control signal is automatically generated as a direct result of detection of at least a portion of the particular content without a need for a selective input by a user contemporaneous with the detection of the content.

Mauldin fails to teach or suggest such limitations. Particularly, the portion of Mauldin cited in the Office Action (column 8, lines 45-58) discloses that “[t]o control the speed up we have created a simulated slide switch . . . [whereby] . . . [t]he user typically selects a playback rate and the skim output 80 is created based on the selection.” Thus, for a signal to be generated to control playback speed in Mauldin, this requires the user to manually select a playback speed contemporaneous with the detection of some content, i.e., when creating the skim output. However, this is quite different

than automatically generating the control signal as a direct result of detection of at least a portion of the particular content without a need for a selective input by a user contemporaneous with the detection of the content, as the claimed invention recites. One advantage that the claimed invention therefore has is that the rendering property of the content is automatically controlled in some manner once the particular content is detected. Mauldin fails to teach or suggest such a feature.

Furthermore, unlike the claimed invention, no where does Mauldin provide for generation of a control signal for use in automatic implementation of a specific action relating to the particular detected content. Again, advantageously, the claimed invention provides for automatic implementation of a specific action relating to the particular detected content.

For at least the above reasons, and the reasons presented in Applicants' previous response, Applicants assert that claims 30-32 and 50 are patentable over Mauldin.

Regarding independent claims 1, 28, 45 and 48, Applicants have amended the claims to now recite that the "information signal represents speech obtained in accordance with one of a voice message system and a real-time phone conversation." Claims 1 and 45 have also been amended to recite the same control signal generation limitations of independent claims 30 and 50, as described above.

Hejna does not disclose that the "information signal represents speech obtained in accordance with one of a voice message system and a real-time phone conversation," and thus does not address the same problems that the claimed invention addresses, i.e., the classical user interface (UI) problem of a voice message system or a real-time phone conversation. As explained in the present specification at page 1, line 8, through page 2, line 12:

The classical UI problem is associated with the fact that it is often difficult for a user to effectively extract key information, e.g., phone numbers, addresses, names, etc., from a voice message during playback. This may be due to a variety of reasons.

By way of one example, the provider or author of the message may have a tendency to rush through the portions of the message which he is very familiar with and which are repetitive for him, e.g., his name and phone number. Thus, the person listening to the message is not given enough time to write down the name and phone number of the caller during normal speed playback. One solution is to replay the entire message, which is time consuming and provides no guarantee that the listener will extract all the relevant information

the second time or, for that matter, any number of subsequent times. Of course, the user could possibly slow down a subsequent playback of the message if the playback equipment has the capability to do so. However, in existing systems with equipment that is only able to slow down the entire message, subsequent playback is even more time consuming, not to mention quite frustrating. It also requires the user to perform several active physical steps to achieve such a slowed playback. Even if a portion of the played back message can be slowed down, the user must still manually search the message record, by starting and stopping the playback, until he gets to the point that he wishes to slow down.

By way of another example, the person playing back a message may not be free to write down the key information in a message because he may be occupied performing some concurrent operations, e.g., driving his vehicle, holding objects, etc.

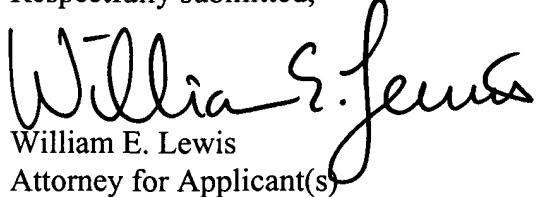
Furthermore, it is to be understood that this classical UI problem is not limited to playback of voice messages. That is, such a UI problem exists during a real-time (live) phone conversation. In such a case, the listener still has difficulty remembering and/or transcribing important information from an on-going phone conversation, e.g., when participating in a cellular phone conversation while driving his car. In fact, the problem is made worse since the user does not have a recording of the conversation to which he may later refer to try to obtain any missed information.

Hejna also fails to disclose the automated control signal generation limitations of claims 1 and 45.

For at least the above reasons, and the reasons presented in Applicants' previous response, Applicants assert that claims 1-12, 28, 45 and 48 are patentable over Hejna.

In view of the above, Applicants believe that claims 1-12, 28, 30-32, 45, 48 and 50 are in condition for allowance, and respectfully request withdrawal of the §102(b) and §102(e) rejections.

Respectfully submitted,



William E. Lewis

Attorney for Applicant(s)

Reg. No. 39,274

Ryan, Mason & Lewis, LLP

90 Forest Avenue

Locust Valley, NY 11560

(516) 759-2946

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